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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,150	12/30/2003	Marius Filtvedt	49281.1.2	3851

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INTELLECTUAL PROPERTY GROUP  
FREDRIKSON & BYRON, P.A.  
200 SOUTH SIXTH STREET  
SUITE 4000  
MINNEAPOLIS, MN 55402

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 05/28/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notification of Non-Compliant Appeal Brief</b> <b>(37 CFR 41.37)</b>	<b>Application No.</b> 10/749,150	<b>Applicant(s)</b> FILTVEDT ET AL.	
	<b>Examiner</b> HUONG Q. PHAM	<b>Art Unit</b> 3772	

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

The Appeal Brief filed on 06 March 2008 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

- ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
- ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
- ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
- ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
- ☒ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
- ☒ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
- ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
- ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
- ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
- ☒ Other (including any explanation in support of the above items):

See Continuation Sheet.

/Patricia Bianco/  
 Supervisory Patent Examiner, Art Unit 3772

/Huong Q. Pham/  
 Examiner, Art Unit 3772

Continuation of 10. Other (including any explanation in support of the above items):

A) In the section " GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL", this section does not contain a concise statement of EACH ground of rejection in the Final Rejection mailed on 5/7/2007.

THE GROUNDS OF REJECTION , as presented in the Final Rejection mailed on 5/7/2007, ARE:

(1) Claims 1-8, 11-16, 25, 29,30, 32- 34, 36-37, 52, 54, 57- 58, 60, 62 - 65, 69-78 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over MacLeod (3,292,613).

(2) Claims 9- 10, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacLeod (3,292,613) in view of MacLeod (3,094,983).

(3) Claims 17- 18,26-27, 35, 48- 51, 55-56, 66-67, 79 -82 are rejected under 35 U.S.C. 103(a) as being unpatentable over by MacLeod (3,292,613) in view of Grahm ( 5,683,438) and Norton et al (3,878,839).

(4) Claims 19- 24, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacLeod (3,292,613) in view of Grahm (5,683,438) and Norton et al ( 3,878,839), and further in view of McGarath (3,896,794) and Christoffel ( 4,186,732).

(5) Claim 39 -42 are rejected under 35 U.S.C. 103 as being unpatentable over MacLeod (3,292~613) in view of MacLeod (3,094,983), and further in view of Grahm( 5,683, 438).

(6) Claims 47,61 are rejected under 35 U.S.C. 102(b) as being anticipated by Norton et al (3,878,839).

B) In the section " ARGUMENT", applicant does not present an argument under a separate headingg for EACH ground of rejection mentioned above.